

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

99-CR-131-A(1)

MOHAMED KAID,

Defendant.

**REVISED STATEMENT OF THE GOVERNMENT WITH RESPECT
TO SENTENCING FACTORS**

PLEASE TAKE NOTICE, that the government hereby adopts all findings of the Pre-sentence Report with respect to sentencing factors in this action except the Probation Officer's conclusion that the "defendant employed an individual under 18 to act as a driver." (Presentence Report at ¶ 33, page 12). This is based on a review of the driver's date of birth as she provided it to the grand jury, which indicates she was over the age of 18 when she first began driving for the defendant.

Should the defendant present any letters of support or sentencing statement to the Court, the United States will move to strike the items from the record if this office is not provided with copies at least three business days prior to sentencing.

The defendant is required by 18 U.S.C. § 3013 to pay the sum of \$100 at the time of sentencing.

Restitution in the amount of \$14,913,701.50 is owed as follows: \$8,538,379 to the Michigan Department of Treasury and \$6,375,322.50 to New York State (Rose Montante; Petroleum, Alcohol & Tobacco Enforcement) and may be ordered by the Court.

DATED: Buffalo, New York, July 20, 2005.

Respectfully submitted,

KATHLEEN M. MEHLTRETTER
Acting United States Attorney

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United States Probation Department
Attn: Michael J. Quarantillo
U.S. Probation Officer

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CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2005, I electronically filed the attached **Revised Statement of the Government with Respect to Sentencing Factors** with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

Nelson S. Torre, Esq.
1220 Liberty Building
Buffalo, New York 14202

United States Probation Department
Attn: Michael Quarantillo
United States Courthouse
68 Court Street
Buffalo, New York 14202

s/LINDA F. SWIATEK